

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EBONI MARSHALL TURMAN,

Plaintiff,

v.

THE ABYSSINIAN BAPTIST CHURCH, et
al.,

Defendants.

23 Civ. 11304 (DEH)

ORDER

DALE E. HO, United States District Judge:

An order issued January 3, 2024, scheduled an initial pre-trial conference for March 13, 2024, and directed the parties to file a joint status letter and proposed case management plan by March 6, 2024. *See* Dkt. No. 5. On March 4, 2024, Defendants filed a motion to dismiss. *See* Dkt. No. 10. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the Complaint once as a matter of course. In their motion to dismiss, Defendants also move for a stay of discovery. *See* Dkt. No. 12, at 21-22.

Accordingly, it is hereby **ORDERED** that Plaintiff shall file any amended complaint by **March 25, 2024**. Any amended complaint shall be filed with a redline showing all differences between the original and revised filing. If Plaintiff does amend, Plaintiff shall file a letter on ECF, not to exceed two pages, regarding the stay of discovery by **March 25, 2024**. Such letter shall either state that Plaintiff consents to the stay or shall explain why the motion to stay should be denied.

If Plaintiff does amend, by **April 5, 2024**, the Moving Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that they rely on the previously filed motion to dismiss. If the Moving Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If the Moving Defendants file a new motion to dismiss or indicate that they rely on their previously filed motion to dismiss, any opposition shall be filed by **April 19, 2024**, and any reply shall be filed by **April 26, 2024**.

If Plaintiff does not file an amended complaint, Plaintiff shall file any opposition to the motion to dismiss by **March 25, 2024**. Plaintiff's opposition shall address the motion to stay discovery. The Moving Defendants' reply shall be filed by **April 3, 2024**.

The initial pretrial conference and requirement to submit a joint status letter and proposed case management plan are **ADJOURNED**, pending further order of the Court.

SO ORDERED.

Dated: March 5, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is written above a horizontal line.

DALE E. HO
United States District Judge